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NEWS RELEASE

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United States Attorney Paul J. McNulty and Michael Chertoff, Assistant Attorney General for the Criminal Division, announced today the indictment of Hew Raymond Griffiths, of Bateau Bay, Australia, on charges related to his leadership of one of the oldest organized software piracy groups on the Internet. The Department of Justice also announced that it intends to seek his extradition in the coming weeks.

A federal grand jury charged Griffiths, 40, with one count of conspiracy to commit criminal copyright infringement and one count of criminal copyright infringement. If convicted on both counts, the defendant could receive a maximum sentence of ten years in federal prison and a \$500,000 fine.

The indictment charges Griffiths, known by his screen nickname as "Bandido," with being co-leader of Drink Or Die, an illegal internet software piracy group founded in Russia in 1993. The Internet software piracy (or warez) group expanded internationally throughout the 1990's.

During the three years prior to its dismantlement by federal law enforcement in December 2001, the group is estimated to have caused the illegal reproduction and distribution of more than \$50 million worth of pirated software, movies, games and music.

"Griffiths thought he was beyond the reach of U.S. law enforcement," said U.S. Attorney Paul McNulty. "He will be proved wrong. We will seek formal extradition from Australia in the coming weeks, but for now, the message should be clear: no matter who you are or where you live, if you steal the intellectual property rights of individuals and businesses, we will not stop at our borders to find you and bring you to justice."

"The internet makes this type of law enforcement cooperation across international borders essential," said Michael Chertoff, Assistant Attorney General for the Criminal Division. "The indictment of Hew Raymond Griffiths shows that international cooperation can result in effective criminal enforcement on a global scale."

“While combating terrorism is our top priority, agents with the Bureau of Immigration and Customs Enforcement will continue to vigorously pursue those who use the Internet to commit crimes,” said Michael Garcia, Assistant Secretary for Immigration and Customs Enforcement at the U.S. Department of Homeland Security. “Operation Buccaneer clearly demonstrates federal law enforcement’s resolve to stop cyber pirates and prosecute them to the fullest extent of the law.”

According to the indictment, Griffiths oversaw all the illegal operations of Drink Or Die, a warez group that specialized in “cracking” (i.e., removing or circumventing embedded copyright protections) software and then distributing the “cracked” versions to the warez scene. Members stockpiled illegal software at huge Internet computer storage sites commonly referred to as “FTP sites.” They were filled with tens of thousands of individual software, game, movie and music titles worth millions of dollars. The group used encryption and an array of other sophisticated technological security measures to hide their activities from law enforcement.

In December 1999, the defendant granted an interview to an online news source proclaiming he ran Drink or Die’s day-to-day operations and controlled access to more than 20 warez FTP sites worldwide. He gave this warning to others engaged in Internet software piracy:

“I hope more people start to realize that we play a dangerous game. . . when you play with fire, you can indeed get burnt. . . . and prison is not a nice thing guys.”

Griffiths’ indictment is the latest action arising from the joint U.S. Customs/Department of Justice investigation known as “Operation Buccaneer”, the largest international online copyright piracy investigation ever conducted by federal law enforcement. To date, 20 defendants have been convicted in the U.S. on charges of felony copyright infringement, 16 of those in the Eastern District of Virginia. Ten defendants were sentenced to terms of imprisonment of between 33 and 46 months, the longest sentences ever imposed for online software piracy. Six additional defendants are currently awaiting trial in the United Kingdom. Spin-off investigations and prosecutions are ongoing in the U.S., Finland, Norway and Sweden. Federal officials credited the assistance of the Australian Federal Police in identifying Griffiths and executing searches at his residence in Australia.

Prosecuting the case for the United States are Assistant United States Attorney Robert Wiechering; Michael DuBose, Senior Counsel, Computer Crime & Intellectual Property Section (CCIPS), and Michael O’Leary, Deputy Chief, CCIPS.

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